

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GARY RANDALL GRUBBS,

Plaintiff,

v.

SACRAMENTO COUNTY JAIL, *et al.*,

Defendants.

Case No. 2:20-cv-01149-JDP (PC)

ORDER TO SHOW CAUSE WHY THIS
CASE SHOULD NOT BE DISMISSED FOR
FAILURE TO PROSECUTE AND FAILURE
TO STATE A CLAIM

RESPONSE DUE WITHIN TWENTY-ONE
DAYS

On November 18, 2020, the court screened plaintiff's second amended complaint and notified plaintiff that it failed to state a claim. ECF No. 19. Plaintiff was granted sixty days to file an amended complaint. *Id.* To date, plaintiff has not filed an amended complaint.

To manage its docket effectively, the court imposes deadlines on litigants and requires litigants to meet those deadlines. The court may dismiss a case for plaintiff's failure to prosecute or failure to comply with its orders or local rules. *See* Fed. R. Civ. P. 41(b); *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005); *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988). Involuntary dismissal is a harsh penalty, but a district court has a duty to administer justice expeditiously and avoid needless burden for the parties. *See Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1.

1 Plaintiff will be given a chance to explain why the court should not dismiss the case for
2 his failure to file an amended complaint. Plaintiff's failure to respond to this order will constitute
3 a failure to comply with a court order and will result in a recommendation that this action be
4 dismissed. Accordingly, plaintiff is ordered to show cause within twenty-one days why this case
5 should not be dismissed for failure to prosecute and failure to comply with court orders. Should
6 plaintiff wish to continue with this lawsuit, he shall file, within twenty-one days, a third amended
7 complaint.

8
9 IT IS SO ORDERED.

10 Dated: February 17, 2021


JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE